

**U.S. BANKRUPTCY COURT**  
**Western District of Wisconsin**  
**SECTION 341 MEETING PROCEEDING MEMO AND**  
**STANDING CHAPTER 13 TRUSTEE'S REPORT**

**IN RE:**

Name: Nicole M Tackes

Case # 24-10289

**Debtor Information:**

SS#: XXX-XX-0397

Addr: 3902 Milwaukee Street, #7605  
Madison, WI 53707

County: DANE

**Spouse Information:**

SS#:

Addr:

County:

Debtor's Attorney: NOE RINCON

341 Meeting Date: 03/26/2024

Adjourned 341 Date:

Tape #: 11

Date Filed: 02/16/2024

Schedules Filed:

Plan Filed: 03/15/2024

Amd Plan Filed: 03/15/2024

**Appearances:** Debtor: WDL,SS, y

Attorney: y

Creditors: \_\_\_\_\_

**1. INFORMATION WHICH WOULD MAKE DEBTOR'S STATEMENTS AND SCHEDULES MORE ACCURATE:**

A. New Employment: \_\_\_\_\_

B. New Address: \_\_\_\_\_

C. Other: \_\_\_\_\_

**2. ELIGIBILITY / DEBT ANALYSIS:**

A. Eligible under Section 109(e)? Y

B. Analysis of Scheduled Debt:

Attorney	4,500.00
Unsecured	118,016.23
Refund	0.00
Secured	19,548.72
Case Costs	0.00
Total Debt	142,064.95

C. Does Debtor have Regular Income? Y

D. Prior Bankruptcies: \_\_\_\_\_

E. DSO's: Y \_\_\_\_\_ N \_\_\_\_\_

F. Tax Returns

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Tax Year	Income	Refund Due Trustee	Federal Tax Return Received On	Refund Amt	State Tax Return Received On	Refund Amt	EIC Amount	Other Amount	Other 1 Amount
2022	21,504.00	3,308.00		10,072.00		2,728.00	6,641.00	2,851.00	0.00

G. Self Employment

Is Debtor Self Employed? N  
Does Debtor Incur Trade Debt? Y \_\_\_\_\_ N \_\_\_\_\_  
Did Debtor Complete Business Trade Questionnaire? Y \_\_\_\_\_ N \_\_\_\_\_  
Will a Monthly Operating Report be Required? Y \_\_\_\_\_ N \_\_\_\_\_

3. MONTHLY BUDGET:	Budgeted Income	3402.81	Available for Plan	352.81
	Budgeted Expenses	3050.00	Plan Payments	346.52
	Available for Plan	352.81	Excess	6.29

A. Does Budget appear reasonable? Y

-DEBTOR DOES NOT HAVE PERMANENT HOUSING (LIVING AT A HOTEL), BUDGET INCLUDES AN EST AS SHE IS TRYING TO OBTAIN HOUSING. PER SOFA#22 STORING ALL HHGs- gets some living assistance from co/state  
  
-YOUNGEST DEP IS AGE 3, NO CHILDCARE OR EDUC COSTS FOR 3 TEEN DEPs- at day care - gets assistance  
-\$0 VEHICLE INSURANCE- has  
-CHILD SUPPORT REC'D? - gets \$260 a month or lately it is \$230

B. Means Test: Is all disposable income applied? (Sec 1325(b)(1)(B)) Y

- SOFA#23 DEBTOR'S CHILD HAS 1/6 INTEREST IN PROBATE ESTATE - INDICATES VALUE OF ASSETS \$22,662.04 HOWEVER DEBTS TO PAY OUT PRIOR TO DISTRIBUTION. ASSUME DEBTOR HAS NO INTEREST- Nothing in her name (debtor's). Distribution waits till he is 18

C. Will debtor be able to make all payments under the plan and comply with the plan? (Sec 1325(a)(6))Y

-ALL INCOME SOURCES STEADY?(\$1531/MO TIPS)- yes and yes  
-PAYING FOR 2014 GMC ACADIA W/ 200,000 MILES - RELIABLE?- yes

4. PLAN:

A. Number of months the Plan is expected to last: 56

Payment Start	Payment End	Payment Amount	Frequency	Source
3/17/2024	4/16/2024	100.00	MONTHLY	DEBTOR
4/17/2024	11/16/2028	351.00	MONTHLY	DEBTOR

B. Total to be paid into the Plan: 19405.00

C. Approximate percentage to Unsecureds: 0

D. Source of Income: PEGASUS RESTAURANT GROUP & TIPS + SON'S SSI + FOODSHARE

Spouse income: \_\_\_\_\_

E. Wage Order Sent To: DEBTOR -MTD & WD- -

F. Payments received to Date: \$100.00

Will debtor commence payments within 30 days after the plan has been filed? Y

G. Has the plan been proposed in good faith and not any means forbidden by law? (Sec 1325(a)(3)Y

If "No", plan cannot be confirmed.

H. Attorney Fee Requested 4500.00 Paid to Date: \_\_\_\_\_

Balance Due Under Plan 4500.00 Approximate months to pay: 56.00

Trustee recommends amount requested? Y

If no, amount the Trustee recommends:

I. Does the Plan Properly Classify Debts? Y

-AMERICAN CREDIT SEC POC NOT PROVIDED FOR AND WILL NOT BE PAID- That is correct is for an old car that was repo'd

J. Does the plan provide for curing of default or payment in full of Secured Debt? (Sec 1325(a)(5)N

-OBJ TO CONF FILED BY AMERICAN CREDIT

K. Does the plan provide for full payment of Priority Debt? Y

-NONE

L. Was a Liquidation			
Analysis Provided By the		Under Chapter 7	Under Chapter 13
Debtor? (Sec 1325(a)(5))	Assets:	20519.50	Total Paid To Plan: 19405.00
N	Admin, Security:		A.S.P. Debt: 24048.72
Unsecureds Do Better	Priority (ASP)	24048.72	Less Direct: 69785.00 -45736.28
Under Chapter: 13	Exemptions:	15403.50	Trustee Fee on Net A.S.P: -3231.90
	Available for UnSec:	-18932.72	Amt Avail for Unsec: 68373.18

5. CLAIMS AND OBJECTIONS

Direct Claims

NELNET	Scheduled for:	69,785.00	Filed for:	0.00
Claim Ref Number: 19	Scheduled as:	DIRECT	Filed as:	Not Filed
Reason: to be pd direct after the ch 13			Filed date:	
Objection Filed? No				

Secured

AMERICAN CREDIT ACCEPTANCE	Scheduled for:	7,200.80	Filed for:	0.00
Claim Ref Number: 10	Scheduled as:	Secured	Filed as:	Secured
Reason: vehicle deficiency - filed as secured			Filed date:	2/20/2024
Objection Filed? Yes				

STATE OF WI DEPT OF CHILDREN & FAMI	Scheduled for:	7,231.92	Filed for:	7,231.92
Claim Ref Number: 8	Scheduled as:	Secured	Filed as:	Secured
Reason: real & pers prop - valuation sec but paying lien amt?			Filed date:	3/11/2024
Objection Filed? No				
CAPITAL ONE AUTO FINANCE	Scheduled for:	0.00	Filed for:	0.00
Claim Ref Number: 7	Scheduled as:	Secured	Filed as:	Secured
Reason: 2014 GMC - filed early			Filed date:	3/15/2024
Objection Filed? No				
CAPITAL ONE AUTO FINANCE	Scheduled for:	5,116.00	Filed for:	0.00
Claim Ref Number: 5	Scheduled as:	Secured	Filed as:	Not Filed
Reason: 2014 GMC ACADIA-VALUATION			Filed date:	
Objection Filed? No				

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US BANKRUPTCY COURT	Scheduled for:	0.00	Filed for:	0.00
Claim Ref Number: 4	Scheduled as:	Case Costs	Filed as:	Not Filed
Reason:			Filed date:	
Objection Filed? No				

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DEBTOR	Scheduled for:		Filed for:	
Claim Ref Number: 2	Scheduled as:	Refund	Filed as:	Refund
Reason:			Filed date:	2/16/2024
Objection Filed? No				
DEBTOR	Scheduled for:	0.00	Filed for:	0.00
Claim Ref Number: 3	Scheduled as:	Refund	Filed as:	Not Filed
Reason:			Filed date:	
Objection Filed? No				

Attorney

NOE RINCON	Scheduled for:	4,500.00	Filed for:	
Claim Ref Number: 1	Scheduled as:	Attorney	Filed as:	Not Filed
Reason:			Filed date:	
Objection Filed? No				

6. TRUSTEE RECOMMENDATIONS:

Does Trustee Recommend Confirmation? N

Trustee Comments:

{ 4J }  
- OBJ TO CONF FILED BY AMERICAN CREDIT

Date Completed: 04/02/2024

/s/ \_\_\_\_\_  
Mark Harring  
Standing Chapter 13 Trustee